

Applicants: Yingru Wu, et al.
U.S. Serial No.: 10/594,785
Filed: as §371 national stage of PCT/AU2005/000467
Page 3

Remarks

The May 17, 2007 Notification indicates that the oath or declaration is not executed in accordance with 37 C.F.R. §1.66 and §1.68. In response, applicants submit hereto as **Exhibit B** a copy of a signed inventors' Declaration and Power of Attorney pursuant to 35 U.S.C. §371. In compliance with 37 C.F.R. §1.497, the enclosed Declaration refers to the application's above-identified U.S. Serial Number and to the PCT International Application and its international filing date.

The May 17, 2007 Notification also indicates that the subject application fails to comply with the requirements of 37 C.F.R. §1.821-1.825 and that applicant must provide an initial computer readable form copy of the Sequence Listing, an initial paper or diskette copy of the Sequence Listing, an amendment specifically directing its entry into the application, and a statement indicating that the content of the computer readable form of the Sequence Listing is identical to the content of the paper or compact disc copy of the Sequence Listing and contains no new matter. In response, applicants submit attach herewith a diskette containing a computer readable form of the Sequence Listing; attach hereto as **Exhibit C** a paper copy of the Sequence Listing; and attach hereto as **Exhibit D** a Statement indicating that the enclosed computer readable form of the Sequence Listing is identical in content to the attached paper copy of the Sequence Listing and contains no new matter. The required amendment to the specification is set forth on Page 2 of this Amendment.

Applicants: Yingru Wu, et al.
U.S. Serial No.: 10/594,785
Filed: as \$371 national stage of PCT/AU2005/000467
Page 4

The May 17, 2007 Notification also indicates that the following fees are required:

1. a surcharge of \$130.00 for late filing of the inventors' declaration;
2. a surcharge of \$650.00 for additional claims.

The Notification further indicates that "a previous payment of \$250.00 will be applied to the additional fees." Accordingly, the total fees due are as follows:

<u>FEES</u>	<u>AMOUNT DUE</u>
Late filing of the inventors' declaration.....	\$130.00
Total additional claims fees.....	\$650.00
Two-month extension of time.....	<u>\$450.00</u>
	\$1230.00
Previous payment	<u>-\$250.00</u>
Total amount due:	\$980.00

If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

09/21/2007 MKAYPAGH 00000094 10594785

01 FC:1252 450.00 OP

09/21/2007 MKAYPAGH 00000094 10594785

02 FC:1617 130.00 OP
03 FC:1615 400.00 OP

Applicants: Yingru Wu, et al.

U.S. Serial No.: 10/594,785

Filed: as §371 national stage of PCT/AU2005/000467

Page 5

No fee, other than the above-identified \$980.00, is deemed necessary. However, if any additional fee is required, authorization is hereby given to charge the amount of such fee to Deposit Account No. 03-3125.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "John P. White", is written over a horizontal line.

John P. White

Registration No. 28,678

Attorney for the Applicants

Cooper & Dunham LLP

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New York, New York 10036

(212) 278-0400

EXHIBIT A



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
 United States Patent and Trademark Office
 Address: COMMISSIONER FOR PATENTS
 P.O. Box 1450
 Alexandria, Virginia 22313-1450
 www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/594,785	Yingru Wu	76935/JPW/YC

INTERNATIONAL APPLICATION NO.

PCT/AU05/00467

I.A. FILING DATE	PRIORITY DATE
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03/31/2005

03/31/2004

23432

COOPER & DUNHAM, LLP
 1185 AVENUE OF THE AMERICAS
 NEW YORK, NY 10036

CONFIRMATION NO. 7111

371 FORMALITIES LETTER



*OC000000023908417

Date Mailed: 05/17/2007

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 09/29/2006
- Copy of the International Search Report filed on 09/29/2006
- Preliminary Amendments filed on 09/29/2006
- Information Disclosure Statements filed on 09/29/2006
- Oath or Declaration filed on 09/29/2006
- Request for Immediate Examination filed on 09/29/2006
- U.S. Basic National Fees filed on 09/29/2006
- Priority Documents filed on 09/29/2006
- Specification filed on 09/29/2006
- Claims filed on 09/29/2006
- Abstracts filed on 09/29/2006
- Drawings filed on 09/29/2006
- Paper nucleotide sequence listings filed on 09/29/2006

The applicant needs to satisfy supplemental fees problems indicated below.

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Additional claim fees of \$650 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.
- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date. The current oath or declaration does

Applicants: Yingru Wu, et al.
 U.S. Serial No. 10/594,785
 Filed: as §371 national stage of
 PCT/AU2005/000467,
 filed March 31, 2005
 Exhibit A

not comply with 37 CFR 1.497(a) and (b) in that it:

- is not executed in accordance with either 37 CFR 1.68 or 37 CFR 1.68.
- To avoid abandonment, a surcharge (for late submission of filing fee, search fee, examination fee or oath or declaration) as set forth in 37 CFR 1.492(h) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

SUMMARY OF FEES DUE:

Total additional fees required for this application is **\$530** for a Large Entity:

- **\$130 Surcharge.**
- This application clearly fails to comply with the requirements of 37 CFR. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", **as well as an amendment specifically directing its entry into the application.** Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CFR 1.821(e). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing" and a statement that the content of the sequence listing information recorded in computer readable form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.
- Total additional claim fee(s) for this application is **\$ 650**
 - \$600 for 5 independent claims over 3.
 - \$50 for 12 total claims over 20.

(A previous payment of **\$250** will be applied to the additional fees indicated above.)

Applicant is cautioned that correction of the above items may cause the specification and drawings page count to exceed 100 pages. If the specification and drawings exceed 100 pages, applicant will need to submit the required application size fee.

For questions regarding compliance to 37 CFR 1.821-1.825 requirements, please contact:

- For Rules Interpretation, call (571) 272-0951
- For Patentin Software Program Help, call Patent EBC at 1-866-217-9197 or directly at 703-305-3028 / 703-308-6845 between the hours of 6 a.m. and 12 midnight, Monday through Friday, EST.
- Send e-mail correspondence for Patentin Software Program Help @ ebc@uspto.gov

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN 3 (2) MONTHS FROM THE DATE OF THIS NOTICE OR 6 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.5)

Registered users of EFS-Web may alternatively submit their reply to this notice via EFS-Web.
<https://portal.uspto.gov/authenticate/AuthenticateUserLocalEPF.html>

For more information about EFS-Web please call the USPTO Electronic Business Center at 1-866-217-9197 or visit our website at <http://www.uspto.gov/ebc>.

If you are not using EFS-Web to submit your reply, you must include a copy of this notice.

VONDA M WALLACE

Telephone: (703) 308-9140 EXT 225

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/594,785	PCT/AU05/00467	76935/JPW/YC

EXHIBIT B